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**General Council
Committee on Sanitary and Phytosanitary Measures**

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**SANITARY AND PHYTOSANITARY DECLARATION FOR THE
TWELFTH WTO MINISTERIAL CONFERENCE: RESPONDING TO MODERN SPS CHALLENGES**

SUBMISSION BY ARGENTINA, AUSTRALIA, BELIZE, BRAZIL, BURKINA FASO, CABO VERDE, CANADA, CHILE, COLOMBIA, COSTA RICA, CÔTE D'IVOIRE, DOMINICAN REPUBLIC, ECUADOR, EL SALVADOR, THE GAMBIA, GUATEMALA, HONDURAS, JAPAN, MEXICO, NEW ZEALAND, PANAMA, PARAGUAY, PERU, SENEGAL, SINGAPORE, TAJIKISTAN, TOGO, THE UNITED STATES OF AMERICA, UKRAINE, URUGUAY AND VIET NAM

The following communication, received on 11 November 2021, is being circulated at the request of the delegations of Argentina, Australia, Belize, Brazil, Burkina Faso, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Dominican Republic, Ecuador, El Salvador, The Gambia, Guatemala, Honduras, Japan, Mexico, New Zealand, Panama, Paraguay, Peru, Senegal, Singapore, Tajikistan, Togo, the United States of America, Ukraine, Uruguay and Viet Nam.¹

MINISTERIAL DECLARATION

1. The twelfth WTO Ministerial Conference takes place following the 25th anniversary of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) — an opportune point to reflect on the successes achieved since its adoption, and to recognize the challenges ahead resulting from emerging pressures that may significantly impact international trade in food, animals and plants.
2. We wish to take this opportunity to underline that the SPS Agreement and its provisions are as relevant and applicable today as they were in 1995, and they continue to safeguard the right for Members to take measures necessary for the protection of human, animal or plant life or health.
3. In addition to this, the proper implementation of the SPS Agreement by Members supports rural livelihoods, facilitates trade, and supports sustainable agricultural growth. Of particular note to these outcomes are the contributions of the SPS Agreement's provisions requiring Members to be transparent in taking SPS measures; and that these measures be based on scientific principles, applied only to the extent necessary to protect human, animal or plant life or health, and not be maintained without sufficient scientific evidence, including through an assessment of risk.
4. We recognize that the WTO Committee on Sanitary and Phytosanitary Measures (SPS Committee) has been instrumental in advancing the implementation of the SPS Agreement, particularly as it relates to improving the transparency of SPS measures through increased notification among Members. Looking to the future, the SPS Committee will continue to undertake valuable work, and Members remain committed to the continued enhancement of the implementation of the SPS Agreement.
5. We reaffirm the rights and obligations of Members established by the SPS Agreement and call for Members' strengthened adherence to the SPS Agreement to support international trade while ensuring the protection of human, animal and plant life or health.

¹ Please note that the original version of this document was circulated on 28 February 2020 to the SPS Committee as G/SPS/GEN/1758.

6. The Membership acknowledges that the global agricultural landscape has evolved since the adoption of the SPS Agreement in 1995. This evolution has brought about a variety of new opportunities and emerging pressures for the international trade in food, animals and plants, including but not limited to:

- expanding global populations, as well as increased movement of agricultural products to address changing population structures and distributions;
- increased pace of innovation in tools and technologies;
- changing climatic conditions and associated stresses on food production;
- growing importance of sustainable agricultural practices and production systems, including their contribution to addressing climate change and biodiversity conservation;
- shifting pressures due to the spread of pests, diseases, disease-carrying organisms, or disease-causing organisms; and
- continued application of SPS measures that would constitute a disguised restriction on international trade.

7. To that end, the Ministerial Conference instructs the SPS Committee to further enhance the implementation of the SPS Agreement in an effort to better manage issues related to international trade in food, animals and plants by undertaking a work programme, open to all Members and Observers, consisting of new efforts to identify: (1) challenges in the implementation of the SPS Agreement and the mechanisms available to address them; and (2) the impacts of emerging pressures on the application of the SPS Agreement.

8. Through the work programme, the Ministerial Conference envisions that the SPS Committee should explore the following themes, including but not limited to:

- How to facilitate sustainable intensification of agricultural production and international trade to support global food security, including through the adoption and use of safe, innovative plant-protection products and veterinary medicines, and by encouraging the use of international standards, guidelines, and recommendations developed by the Codex Alimentarius Commission, the World Organisation for Animal Health and the International Plant Protection Convention as the basis of harmonized SPS measures, including on maximum residue limits for veterinary drugs and pesticides, to protect human, animal or plant life or health.
- How to support basing SPS measures on scientific evidence and principles including where international standards, guidelines, or recommendations do not exist or are not appropriate; and how to promote the use by Members of principles employed by the international standard setting bodies for considering scientific uncertainty in risk analysis.
- How to enhance the safe international trade in food, animals and plants and products thereof through the adaptation of SPS measures to regional conditions, including pest- or disease-free areas and areas of low pest or disease prevalence which can strengthen Members' ability to protect plant and animal life or health through efforts to limit the spread of pests such as the Mediterranean fruit fly, diseases such as African swine fever, disease-carrying organisms, or disease-causing organisms.
- How to encourage cooperation with observer organizations that support the work of the SPS Committee and the international standard setting bodies through technical exchanges and assistance in the context of this work programme.
- How to increase participation of and support for the special needs of developing and least developed country Members in the development and application of SPS measures; and in particular, to increase awareness of and sensitivity to the impacts of SPS measures on the export possibilities of such Members.
- Other topics as identified over the course of the work programme or as a result of emerging sanitary or phytosanitary pressures or risks worldwide.

9. This work programme does not launch the negotiation of new obligations, nor re-open or amend the SPS Agreement.

10. The SPS Committee will address the outcomes of this work programme and report on key findings and actions undertaken as a result of this work to the thirteenth Ministerial Conference with recommendations, as appropriate.
